

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

PAUL PIZZUTO,)	
Plaintiff,)	
)	
v.)	DOCKET NO. 04-12492 GAO
)	
AIRBORNE EXPRESS, INC., STEVEN)	
CROSSKEN, JOSEPH HAMILTON,)	
GREG SWEATT AND ARTHUR)	
LEVERIS,)	
Defendants.)	

**JOINT MOTION TO EXTEND TIME FOR COMPLETION OF FACT DISCOVERY
AND FOR CONTINUANCE OF STATUS CONFERENCE**

The parties respectfully move for a further extension of the time for completion of fact discovery from 10//31/06 to 12/8/06 and to continue the Status Conference from 11/8/06 to a date in mid-December. In support of this motion, the parties state:

1. This is an employment discrimination case involving multiple claims, numerous witnesses now residing in various states and events spanning several years.

2. The additional time is requested to enable the parties to complete discovery to narrow the issues. Complicating this process at the present time are primarily scheduling conflicts and difficulties of Plaintiff's counsel, a sole practitioner. Counsel has numerous conflicting case commitments within the current discovery deadline, including a multi-day superior court trial, numerous depositions scheduled in a number of cases, two mediation proceedings and the need to prepare a Court of Appeals brief. The additional relatively short extension is needed to complete discovery in this case under these circumstances.

3. The parties have been cooperative with each other regarding discovery in an

effort to present and litigate the case on the merits without the need for undue intervention by the Court.

4. The parties are mindful and respectful of the Court's desire to avoid unnecessary delay, but hope that under the circumstances the Court will allow this joint motion.

5. In further support of this motion, both parties agree to the need for the extension and neither side will be prejudiced as a result.

WHEREFORE, for the foregoing reasons, the parties respectfully request that the deadline for completion of fact discovery be extended from 10//31/06 to 12/8/06 and to continue the Status Conference from 11/8/06 to a date in mid-December.

PAUL PIZZUTO,

AIRBORNE EXPRESS, INC., STEVEN
CROSSKEN, JOSEPH HAMILTON,
GREG SWEATT, AND ARTHUR
LEVERIS,

By his attorneys,

By their attorneys,

/s/ Richard A. Mulhearn
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Dated: September 14, 2006.